

## REMARKS

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of November 2, 2007.

Presently, claims 1, 4, 15, 22 and 23 are amended. Claims 2, 3, 5-12, and 16-21 remain as originally filed. Claims 13 and 24-47 are withdrawn pursuant to an election requirement. Finally, claims 38, 39 and 43, which are withdrawn, have been amended.

Reconsideration of the Application is requested.

### The Office Action

The abstract of the disclosure was objected to because it was too short to adequately describe the disclosure.

Claims 1-12 and 14-23 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 was rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1-12 and 14-23 were rejected under 35 U.S.C. 102(e) as being anticipated by Westerinen et al. U.S. Patent No. 7,065,740 ("Westerinen").

Claims 1-12 and 14-23 were previously rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-38 of co-pending U.S. Patent Application No. 10/686,842.

### Applicant's Response

Regarding the objection to the Abstract, the Applicant has amended the specification to include a more detailed Abstract.

Accordingly, the Examiner is respectively requested to withdraw this objection.

Regarding the rejection of claims 1-12 and 14-23 under 35 U.S.C. § 112, second paragraph, as being indefinite, claim 1 has been amended to more clearly describe the subject matter sought to be patented.

Specifically, claim 1, and all dependent claims 2-12 and 14-23, now recite multiple steps to claim a services provisioning method for a printing system.

Accordingly, the Examiner is respectively requested to withdraw this rejection.

Regarding the rejection of claim 1 under 35 U.S.C. § 101 as directed to non-statutory subject matter, this claim has been amended to overcome this rejection. Specifically, claim 1 recites several process steps associated with a printing system and a provisional server. The claimed method deploys one or more services, such as, but not limited to, software downloads, diagnostic tools/software, services analysis, etc. It is submitted the currently amended claim 1 is useful, tangible and concrete. Accordingly, the Examiner is respectively requested to withdraw this rejection.

Regarding the rejection of claims 1-12 and 14-23 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 7,062,750 (Westerinen et al.), claim 1, and all claims which depend therefrom (i.e. claims 2-12 and 14-23), has been amended to more clearly describe the metes and bounds of the claimed invention.

The Applicant asserts Westerinen et al. does not disclose a services provisioning method as now claimed in claim 1, and all claims which depend therefrom (i.e. claims 2-12 and 14-23). Specifically, Westerinen does not disclose a services provisioning method for a printing system wherein the method includes running a service consumer interface module to identify a requested printing device service offering from a device model agent (DMA). Furthermore, Westerinen et al. does not disclose other claimed features, such as, but not limited to, a printing system method wherein the method deploys one or more services to the one or more printing devices.

Accordingly, the Examiner is respectively requested to withdraw the rejection of claims 1-12 and 14-23 as being anticipated by Westerinen et al.

Regarding the provisional double patenting rejection of claims 1-12 and 14-23, a Terminal Disclaimer is provided to overcome this rejection. Accordingly, the Examiner is respectively requested to withdraw this grounds for rejecting claims 1-12 and 14-23.

### CONCLUSION

For the reasons detailed above, it is submitted claims 1-12 and 14-23 are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

Remaining Claims, as delineated below:

(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT LESS HIGHEST NUMBER PREVIOUSLY PAID FOR	(3) NUMBER EXTRA
TOTAL CLAIMS	47	- 47 = 0
INDEPENDENT CLAIMS	3	- 3 = 0

The required two (2) month extension of time will be filed separately via EFS Web and paid for by credit card. This is an authorization under 37 CFR 1.136(a)(3) to treat any concurrent or future reply, requiring a petition for extension of time, as incorporating a petition for the appropriate extension of time.

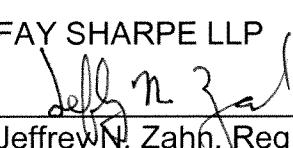
The Commissioner is hereby authorized to charge any filing or prosecution fees which may be required, under 37 CFR 1.16, 1.17, and 1.21 (but not 1.18), or to credit any overpayment, to Deposit Account 24-0037.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Jeffrey N. Zahn, at Telephone Number (216) 861-5582.

Respectfully submitted,

FAY SHARPE LLP

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April 2, 2008  
Date

  
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